

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Keira Brooke Bard et al.)	Group Art Unit: 3696
)	
Serial No.: 09/880,777)	Examiner: Ojo Oyeibisi
)	
Filed: June 15, 2001)	Confirmation No.: 7834
)	
For: SYSTEM AND METHODS FOR)	
PROVIDING STARTER CREDIT)	
CARD ACCOUNTS)	

Mail Stop Appeal Brief-Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER BOARD RULE § 41.37

In support of the Notice of Appeal filed November 16, 2007, and further to Board Rule 41.37, Appellants present this brief, which responds to the final rejection of claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120 in the Final Office Action mailed July 19, 2007 and the Notice of Panel Decision from Pre-Appeal Brief Review mailed March 3, 2008, the period for response to which having been extended to June 3, 2008 by a Petition for Extension of Time of two months.

Appellants enclose herewith a check in the amount of \$970.00 to cover the Appeal Brief fee of \$510.00 and the Petition fee of \$460.00. If any additional fees are required or if the enclosed payment is insufficient, Appellants request that the required fees be charged to Deposit Account 06-0916.

Table of Contents

I. Real Party in Interest	3
II. Related Appeals and Interferences	4
III. Status of Claims	5
IV. Status of Amendments	6
V. Summary of Claimed Subject Matter	7
VI. Grounds of Rejection	31
VII. Argument	32
VIII. Conclusion	53
Appendices	
IX. Claim Appendix	54
X. Evidence Appendix	84
XI. Related Proceedings Appendix	85

I. Real Party In Interest

The real party in interest is Capital One Financial Corporation, the assignee of record.

II. Related Appeals and Interferences

There are currently no other appeals or interferences, of which Appellants, Appellants' legal representative, or Assignee are aware, that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status Of Claims

Claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120 are pending in the application and stand finally rejected, and claims 13, 29, 41, 59, and 89 are cancelled.

In the Final Office Action mailed July 19, 2007, the Examiner rejected claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120 under 35 U.S.C. § 103(a) as allegedly unpatentable over "Sears Tests Starter Card," Card Fax News Brief ("*Sears*") in view of U.S. Patent No. 6,018,718 to Walker et al. ("*Walker*"). Appellants appeal the final rejection of claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120. A list of the appealed claims is found in the attached Claims Appendix.

IV. Status Of Amendments

The claims were most recently amended in an Amendment filed concurrently with a Request for Continued Examination on December 19, 2006, in reply to a Final Office Action mailed July 19, 2006. No amendments have been submitted subsequent to the Final Office Action mailed July 19, 2007.

V. Summary Of Claimed Subject Matter

A. Claim 1

Claim 1 is directed to a method for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16). In the method, steps are performed for receiving a request for the standard credit account from the customer (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22), and providing a starter credit account in place of the standard credit account to the customer (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 26, lines 19-23).

In the method, steps are also performed for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19). Further, steps are performed for modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account (*See e.g.*, FIG. 2 refs. 2200, 2400, p. 27, lines 15-19), and upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

B. Claim 10

Claim 10 is directed to a method for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16).

In the method, steps are performed for providing a starter credit account to a customer, where the customer is not eligible to receive a standard credit account (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, steps 3000, 3300, and 3400, p. 22, lines 3-20, p. 24, lines 4-22, FIG. 4 step 4600, p. 26, lines 19-23) and monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19).

In the method, steps are also performed for notifying the customer of unsatisfied predetermined criteria during the trial period (*See e.g.*, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5), and modifying the starter credit account parameters based on the monitoring, where modifying includes upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

C. Claim 19

Claim 19 is directed to a method for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16).

In the method, steps are performed for determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, where the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account (*See e.g.*, FIG. 2 ref. 2100, FIG. refs. 3000, 3100, 3300, p. 22, lines 3-20, p. 23, line 18 to p. 24, line 2). Further, steps are performed for ranking the customers included in the group (*See e.g.*, FIG. 2, ref. 2100, FIG. 4, ref. 4000, p. 24, line 11 to p. 25, line 10), and providing a starter credit account to each customer included in the group, where parameters associated with each starter credit account vary based on the rank of each customer (*See e.g.*, FIG. 4, refs 4100, 4150, 4200, 4600, p. 19, line 1 to p. 20, line 2, p. 25, lines 11-19).

In the method, steps are also performed for determining a trial period for each ranked customer (*See e.g.*, FIG. 2, ref. 2100, p. 18, lines 11-12, p. 27, lines 12-19), and determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded (*See e.g.*, FIG. 2, ref. 2100, p. 23, lines 14-15, p. 27, lines 7-12). For each ranked customer, steps are performed for determining whether the ranked customer has met the predetermined

criteria during the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19), and upgrading the account parameters associated with the ranked customer based on the determination (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

D. Claim 28

Claim 28 is directed to a method for providing credit accounts. In the method, steps are performed for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22), and providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 19, line 1, to p. 20, line 2, p. 26, lines 19-23) where the second credit limit is lower than the first credit limit (*See e.g.*, p. 21, lines 6-11).

In the method, steps are also performed for notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments (*See e.g.*, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5). The third credit limit is higher than the second credit limit and lower than the first credit limit (*See e.g.*, p. 49, lines 1-8). Further, steps are performed for monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19), and changing the second credit limit to the third credit limit when it is determined that the customer has made the

predetermined number of on-time payments associated with the second credit account, where the third credit limit is based on a predetermined amount based on a number of on-time payments made by the customer (*See e.g.*, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-18, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4).

E. Claim 30

Claim 30 is directed to a system for providing a starter credit account. The system comprises a credit issuer for providing credit accounts including a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters that are more favorable than the starter credit account parameters, where the starter credit account is provided to a trial customer who is not eligible to obtain the standard credit account (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16).

The credit issuer comprises a monitor process for monitoring the starter credit account to determine whether the trial customer has met predetermined criteria associated with the starter credit account during a trial period and adjusting the starter credit account parameters based on the determination (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19). The credit issuer also comprises a trial period modifying process for modifying the duration of the trial period based on activities associated with the starter credit account (*See e.g.*, FIG. 2 refs. 2200, 2400, p. 27 lines 15-19).

The credit issuer also comprises a first memory for storing credit account information associated with standard credit account customers of the credit issuer (*See*

e.g., FIG. 2, ref. 2300, p. 20, line 24, to p. 21, line 16, p. 45 lines 6-8) and a second memory for storing starter credit account information associated with the trial customer (See *e.g.*, FIG. 2 ref. 2100, 2200, p. 45 lines 2-4, p. 17, line 18, to p. 18, line 2), where the credit issuer loads the starter credit account information stored in the second memory into the first memory after the starter credit account parameters associated with the starter credit account have been adjusted based on the determination (See *e.g.*, FIG. 2, ref. 2500, FIG. 13, ref. 1380, p. 14 line 22 to p. 15, line 6, p. 45, line 12 to p. 47, line 21).

F. Claim 37

Claim 37 is directed to a process for monitoring a starter credit account associated with a customer who is not eligible to receive a standard credit account from a credit issuer, where the standard credit account is associated with standard credit account parameters that are more favorable than starter credit account parameters associated with the starter credit account (See *e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16).

The process comprises a process for notifying customers of an increased credit limit that will be provided to the customer if the customer satisfies predetermined criteria (See *e.g.*, FIG. 2 ref. 2400, FIG. 5 ref. 5120, FIG. 6 ref. 6010, p. 16 lines 24-28, p. 28, lines 3-6 and 21-22), and a process for notifying the customer of the predefined criteria the customer must satisfy to obtain the increased credit limit (See *e.g.*, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5). The process further comprises a process for periodically monitoring activity associated with the starter credit account for

a determined trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19).

The process also comprises a process for determining whether the predetermined criteria has been met based on the monitored activity during the trial period (*See e.g.*, FIG. 4 ref. 2400, FIG. 10 refs. 10110, 10130, p. 39 lines 3-10), and a process for increasing a credit limit associated with the starter credit account based on the determination that the predetermined criteria has been met (*See e.g.*, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-18, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4). Further, the process comprises a process for resetting the trial period when the activity reflects that the customer has not met the predetermined criteria (*See e.g.*, FIG. 2, ref. 2400, FIG. 8, refs. 8120, 8130, 8140, 8190, p. 16, lines 19-21, p. 17, lines 3 and 9, p. 31, lines 12-18, p. 34, lines 4-20).

G. Claim 42

Claim 42 is directed toward a method for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16). In the method, steps are performed for providing the starter credit account to the customer, where the customer is not eligible to receive the standard credit account (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, steps 3000, 3300, and 3400, p. 22, lines 3-20, p. 24, lines 4-22, FIG. 4 step 4600, p. 26 lines 19-23). The method also includes monitoring the customer's activities associated with the starter credit account during a trial period to

determine whether the customer has satisfied predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19).

In the method, steps are also performed for starting a second trial period and modifying the starter credit account parameters to be more favorable if the customer has satisfied the predetermined criteria during the trial period (*See e.g.*, FIG. 2 ref. 2400, FIG. 9 ref. 9020, 9050, 9060, 9070, 9080, FIG. 10, ref. 10130, 10140, 10150, 10160, p. 35 line 20 to p. 36 line 9, p. 39 lines 3-10, p. 48, line 31 to p. 49, line 8), and further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period (*See e.g.*, p. 48, line 31 to p. 49, line 8). The method also includes a step for further modifying the modified starter credit account parameters based on the further monitoring (*See e.g.*, p. 48, line 31 to p. 49, line 8).

H. Claim 47

Claim 47 is directed toward computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16, p. 10, lines 4-11, p. 50, lines 7-13). The method includes steps for receiving a request for the standard credit account from the customer (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22), and providing a starter credit account in place of

the standard credit account to the customer (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 26 lines 19-23).

Further, steps are performed for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19), and modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account (*See e.g.*, FIG. 2 refs. 2200, 2400, p. 27 lines 15-19). The method also includes a step for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

I. Claim 56

Claim 56 is directed toward a computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16, p. 10, lines 4-11, p. 50, lines 7-13). In the method, steps are performed for providing a starter credit account to a customer, where the customer is not eligible to receive a standard credit account (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, steps 3000, 3300, and 3400, p. 22, lines 3-20, p. 24, lines 4-22, FIG. 4 step 4600, p. 26 lines 19-23), and monitoring the customer's activities associated with the starter credit account during a

trial period to determine whether the customer has satisfied predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19).

The method also comprises notifying the customer of unsatisfied predetermined criteria during the trial period (*See e.g.*, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5), and modifying the starter credit account parameters based on the monitoring, where modifying includes upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

J. Claim 65

Claim 65 is directed toward a computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16, p. 10, lines 4-11, p. 50, lines 7-13). In the method, steps are performed for determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, where the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account (*See e.g.*, FIG. 2 ref. 2100, FIG. refs. 3000, 3100, 3300, p. 22, lines 3-20, p. 23 line 18 to p. 24, line 2).

Further, in the method, steps are performed for ranking the customers included in the group (*See e.g.*, FIG. 2, ref. 2100, FIG. 4, ref. 4000, p. 24, line 11 to p. 25, line 10), and providing a starter credit account to each customer included in the group, where parameters associated with each starter credit account vary based on the rank of each customer (*See e.g.*, FIG. 4, refs. 4100, 4150, 4200, 4600, p. 19, line 1 to p. 20, line 2, p. 25, lines 11-19). The method also comprises determining a trial period for each ranked customer (*See e.g.*, FIG. 2, ref. 2100, p. 18, lines 11-12, p. 27, lines 12-19), and determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded (*See e.g.*, FIG. 2, ref. 2100, p. 23, lines 14-15, p. 27, lines 7-12).

Also in the method, steps are performed, for each ranked customer, for determining whether the ranked customer has met the predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19), and upgrading the account parameters associated with the ranked customer based on the determination (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

K. Claim 74

Claim 74 is directed toward a computer-readable medium including instructions for performing a method, when executed by a processor, for providing credit accounts (*See e.g.*, p. 10, lines 4-11, p. 50, lines 7-13). The method includes steps for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22).

Further, in the method, steps are performed for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 19, line 1 to p. 20, line 2, p. 26 lines 19-23), where the second credit limit is lower than the first credit limit (*See e.g.*, p. 21, lines 6-11). The method also comprises notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments (*See e.g.*, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5) and where the third credit limit is higher than the second credit limit and lower than the first credit limit (*See e.g.*, p. 49, lines 1-8);

The method also includes performing steps for monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19), and changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account (*See e.g.*, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-18, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4).

L. Claim 76

Claim 76 is directed toward a computer-readable medium including instructions for performing a method, when executed by a processor, for providing credit accounts (*See e.g.*, p. 10, lines 4-11, p. 50, lines 7-13). In the method, steps are performed for

receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22).

Further, in the method, steps are performed for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 19 line 1, to p. 20, line 2, p. 26 lines 19-23), and monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 8, lines 1-2, p. 19, lines 23-26, p. 27, lines 5-19). The method also comprises changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account (*See e.g.*, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-31, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4).

M. Claim 77

Claim 77 is directed toward system for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16). The system comprises means for receiving a request for the standard credit account from

the customer (*See e.g.*, FIG. 2, refs. 1200, 2100, 2200, FIG. 3, step 3100, p. 22, lines 9-22), and means for providing a starter credit account in place of the standard credit account to the customer (*See e.g.*, FIG. 2, refs. 1200, 2100, 2200, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 26 lines 19-23).

The system also comprises means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria (*See e.g.*, FIG. 2, refs. 2200, 2400, FIG. 4, step 4700, p. 27, lines 5-19), and means for modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account (*See e.g.*, FIG. 2 refs. 2200, 2400, p. 27 lines 15-19). Further, the system comprises means for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria (*See e.g.*, FIG. 2, refs. 1200, 2200, 2300, p. 5, lines 2-4, p. 49, lines 1-8).

N. Claim 83

Claim 83 is directed toward the system of claim 77, where the means for upgrading at least one of the starter credit account parameters is replaced with means for downgrading at least one of the starter credit account parameters based on the monitoring (*See e.g.*, FIG. 2, ref. 1200, 2400, p. 33, lines 4-19).

O. Claim 84

Claim 84 is directed toward the system of claim 83, where the means for downgrading further comprises a means for determining that the customer has not met

a predetermined criteria during the trial period based on the monitoring (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19). The system also comprises a means for restarting the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 8, refs. 8120, 8130, 8140, 8190, p. 16, lines 19-21, p. 17, lines 3 and 9, p. 31, lines 12-18, p. 34, lines 4-20).

P. Claim 85

Claim 85 is directed toward the system of claim 83, where the means for downgrading further comprises a means for determining that the customer has not met a predetermined criteria during the trial period based on the monitoring (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19). The system also includes means for preventing use of the starter credit account to purchase goods and/or services (*See e.g.*, FIG. 2, ref. 1200, 2400, p. 33, lines 4-19), and a means for increasing an interest rate associated with the starter credit account (*See e.g.*, FIG. 2, ref. 1200, 2400, p. 33, lines 4-19). Further, the system comprises means for accessing penalty fees to the starter credit account (FIG. 2, ref. 1200, 2200, 2300, 2400, p. 18, line 9 to p. 19, line 18, p. 20 lines 1-2, p. 21 lines 18-21).

Q. Claim 86

Claim 86 is directed toward a system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16). The

system comprises means for providing a starter credit account to a customer, where the customer is not eligible to receive a standard credit account (*See e.g.*, FIG. 2, refs. 1200, 2100, 2200, FIG. 3, steps 3000, 3300, and 3400, p. 22, lines 3-20, p. 24, lines 4-22, FIG. 4 step 4600, p. 26 lines 19-23), and means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period (*See e.g.*, FIG. 2, refs. 2200, 2400, FIG. 4, step 4700, p. 27, lines 5-19).

The system also comprises means for notifying the customer of unsatisfied predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 1200, 2200, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5). Further, the system comprises means for modifying the starter credit account parameters based on the monitoring (*See e.g.*, FIG. 2, ref. 1200, 2200, 2300, p. 5, lines 2-4, p. 49, lines 1-8), where the means for modifying includes means for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 1200, 2200, 2300, p. 5, lines 2-4, p. 49, lines 1-8).

R. Claim 92

Claim 92 is directed toward the system of claim 86, where the means for modifying the starter credit account parameters comprises a means for downgrading at least one of the starter credit account parameters based on the monitoring (*See e.g.*, FIG. 2, ref. 1200, 2400, p. 33, lines 4-19).

S. Claim 93

Claim 93 is directed toward the system of claim 92, where the means for downgrading comprises means for determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19). The system also comprises a means for restarting the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 8, refs. 8120, 8130, 8140, 8190, p. 16, lines 19-21, p. 17, lines 3 and 9, p. 31, lines 12-18, p. 34, lines 4-20).

T. Claim 94

Claim 94 is directed toward the system of claim 92, where the means for downgrading comprises means for determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19). The system also includes means for preventing use of the starter credit account to purchase goods and/or services (*See e.g.*, FIG. 2, ref. 1200, 2400, p. 33, lines 4-19), and means for increasing an interest rate associated with the starter credit account (*See e.g.*, FIG. 2, ref. 1200, 2400, p. 33, lines 4-19). Further, the system includes means for accessing penalty fees to the

starter credit account (FIG. 2, ref. 1200, 2200, 2300, 2400, p. 18, line 9 to p. 19, line 18, p. 20 lines 1-2, p. 21 lines 18-21).

U. Claim 96

Claim 95 is directed toward a system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIG. 2, refs. 1200, 2100, 2200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16). The system comprises means for determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account (*See e.g.*, FIG. 2 ref. 1200, 2100, 2200, FIG. 3 refs. 3000, 3100, 3300, p. 22, lines 3-20, p. 23 line 18 to p. 24, line 2), where the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account (*See e.g.*, FIG. 2 ref. 1200, 2100, 2200, FIG. 3 refs. 3000, 3100, 3300, p. 22, lines 3-20, p. 23 line 18 to p. 24, line 2).

The system also comprises means for ranking the customers included in the group (*See e.g.*, FIG. 2, ref. 2100, 2200, FIG. 4, ref. 4000, p. 24, line 11 to p. 25, line 10), and means for providing a starter credit account to each customer included in the group, where parameters associated with each starter credit account vary based on the rank of each customer (*See e.g.*, FIG. 2, refs. 1200, 2200, FIG. 4, refs. 4100, 4150, 4200, 4600, p. 19, line 1 to p. 20, line 2, p. 25, lines 11-19). Further, the system comprises means for determining a trial period for each ranked customer (*See e.g.*, FIG. 2, refs. 2100, 2200, p. 18, lines 11-12, p. 27, lines 12-19).

Further, the system comprises means for determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded (*See e.g.*, FIG. 2, ref. 2100, 2200, p. 23, lines 14-15, p. 27, lines 7-12), and means for determining, for each customer, whether the ranked customer has met the predetermined criteria during the trial period (*See e.g.*, FIG. 2, refs. 2200, 2400, FIG. 4, step 4700, p. 27, lines 5-19). Further, the system comprises means for upgrading, for each customer, the account parameters associated with the ranked customer based on the determination (*See e.g.*, FIG. 2, ref. 1200, p. 5, lines 2-4, p. 49, lines 1-8).

V. Claim 99

Claim 99 is directed toward the system of claim 95, where the means adjusting the account parameters comprises means for restarting the trial period when the customer has not met the predetermined criteria and based on the rank of the customer (*See e.g.*, FIG. 2, ref. 2400, FIG. 8, refs. 8120, 8130, 8140, 8190, p. 16, lines 19-21, p. 17, lines 3 and 9, p. 31, lines 12-18, p. 34, lines 4-20).

W. Claim 104

Claim 104 is directed toward a system for providing credit accounts. The system comprises means for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22).

Further, the system comprises means for providing to the customer a second credit account associated with second account parameters including a second credit

limit and a second interest rate (*See e.g.*, FIG. 2, ref. 2100, 2200, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 19 line 1, to p. 20, line 2, p. 26 lines 19-23), where the second credit limit is lower than the first credit limit (*See e.g.*, p. 21, lines 6-11). The system also comprises means for notifying the customer of a third credit limit while the customer is provided the second credit limit (*See e.g.*, FIG. 2, ref. 1200, 2200, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5), the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments (*See e.g.*, FIG. 2, ref. 1200, 2200, FIG. 7, ref. 7020, p. 16, lines 4-27, p. 29, line 19 to p. 30, line 5) and where the third credit limit is higher than the second credit limit and lower than the first credit limit (*See e.g.*, p. 49, lines 1-8).

Further, the system comprises means for monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments (*See e.g.*, FIG. 2, ref. 2200, 2400, FIG. 4, step 4700, p. 27, lines 5-19). The system also comprises means for changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account (*See e.g.*, FIG. 2, ref. 2200, 2400, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-18, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4).

X. Claim 106

Claim 106 is directed toward a system for providing credit accounts. The system comprises means for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest

rate (*See e.g.*, FIG. 2, ref. 2100, 2200, FIG. 3, step 3100, p. 22, lines 9-22). The system also includes means for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate (*See e.g.*, FIG. 2, ref. 2100, 2200, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 19 line 1, to p. 20, line 2, p. 26, lines 19-23).

The system also comprises means for monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit (*See e.g.*, FIG. 2, ref. 2200, 2400, FIG. 4, step 4700, p. 8, lines 1-2, p. 19, lines 23-26, p. 27, lines 5-19). Further, the system comprises means for changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account (*See e.g.*, FIG. 2, ref. 2200, 2300, 2400, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-31, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4).

Y. Claim 107

Claim 107 is directed toward a computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters (*See e.g.*, FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16, p. 10, lines 4-11, p. 50, lines 7-13). In the method, steps are performed for

providing the starter credit account to the customer, where the customer is not eligible to receive the standard credit account (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, steps 3000, 3300, and 3400, p. 22, lines 3-20, p. 24, lines 4-22, FIG. 4 step 4600, p. 26, lines 19-23).

The method also comprises monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 27, lines 5-19), and modifying the starter credit account parameters based on the monitoring, the modifying including starting a second trial period and upgrading the starter credit account parameters if the customer has satisfied the predetermined criteria during the trial period (*See e.g.*, FIG. 2 ref. 2400, FIG. 9 ref. 9020, 9050, 9060, 9070, 9080, FIG. 10, ref. 10130, 10140, 10150, 10160, p. 35 line 20 to p. 36 line 9, p. 39 lines 3-10, p. 48, line 31 to p. 49, line 8). Steps are also performed for further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period (*See e.g.*, p. 48, line 31 to p. 49, line 8), and further modifying the modified starter credit account parameters based on the further monitoring (*See e.g.*, p. 48, line 31 to p. 49, line 8).

Z. Claim 112

Claim 112 is directed toward a system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters

(See e.g., FIGS. 1 and 2, ref. 1200, p. 13, lines 3-15, p. 20, line 25 to p. 21, line 16).

The system comprises means for providing the starter credit account to the customer, where the customer is not eligible to receive the standard credit account (See e.g., FIG. 2, ref. 2100, 2200, FIG. 3, steps 3000, 3300, and 3400, p. 22, lines 3-20, p. 24, lines 4-22, FIG. 4 step 4600, p. 26 lines 19-23).

Further, the system comprises means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period (See e.g., FIG. 2, ref. 2200, 2400, FIG. 4, step 4700, p. 27, lines 5-19), and means for modifying the starter credit account parameters based on the monitoring (See e.g., FIG. 2 ref. 2200, 2400, p. 35 line 20 to p. 36 line 9), the modifying including starting a second trial period and upgrading the starter credit account parameters if the customer has satisfied the predetermined criteria during the trial period (See e.g., FIG. 2 ref. 2200, 2400, FIG. 9 ref. 9020, 9050, 9060, 9070, 9080, FIG. 10, ref. 10130, 10140, 10150, 10160, p. 35 line 20 to p. 36 line 9, p. 39 lines 3-10, p. 48, line 31 to p. 49, line 8). The system also comprises means for further monitoring (See e.g., FIG. 2, ref. 2200, 2400, p. 48, line 31 to p. 49, line 8) the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period (See e.g., FIG. 2, ref. 2200, 2400, p. 48, line 31 to p. 49, line 8), and means for further modifying the modified starter credit account parameters based on the further monitoring (See e.g., FIG. 2, ref. 2200, 2400, p. 48, line 31 to p. 49, line 8).

AA. Claim 117

Claim 117 is directed toward a method for providing credit accounts. In the method, steps are performed for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3100, p. 22, lines 9-22), and providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate (*See e.g.*, FIG. 2, ref. 2100, FIG. 3, step 3400, p. 24, lines 4-22, FIG. 4 step 4600, p. 19 line 1 to p. 20, line 2, p. 26 lines 19-23).

Further, steps are performed for monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit (*See e.g.*, FIG. 2, ref. 2400, FIG. 4, step 4700, p. 8, lines 1-2, p. 19, lines 23-26, p. 27, lines 5-19). The method also comprises changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account (*See e.g.*, FIG. 9, ref. 9080, FIG. 10, ref. 10160, p. 19, lines 1-31, p. 27, lines 7-12, p. 39, lines 3-10, p. 43, line 20 to p. 44, line 4).

VI. Grounds of Rejection

Claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over “Sears Tests Starter Card, Card Fax News Brief (*“Sears”*) in view of U.S. Patent No. 6,018,718 to Walker et al. (*“Walker”*).

VII. Argument

Appellants respectfully request that the Board reverse the Examiner's rejection of claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120 under 35 U.S.C. § 103(a) because the Examiner has not established a *prima facie* case of obviousness.

The key to supporting any rejection under 35 U.S.C. § 103(a) is the clear articulation of the reasons why the claimed invention would have been obvious. Such an analysis should be made explicit and cannot be premised upon mere conclusory statements. *See M.P.E.P.* § 2141, 8th Ed., Rev. 6 (Sept. 2007). "A conclusion of obviousness requires that the references relied upon be enabling in that it put the public in possession of the claimed invention." *M.P.E.P.* § 2145. Furthermore, "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art" at the time the invention was made. *M.P.E.P.* § 2143.01(III) (internal citations omitted). In addition, when "determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious." *M.P.E.P.* § 2141.02(I) (internal citations omitted) (emphasis in original).

A. The rejection of claims 1-9, 30-36, 47-55, 77-85, and 118-120 should be reversed because the cited art does not teach or suggest the recitations of these claims

Claim 1 recites a method for providing a credit account to a customer, comprising, *inter alia*, "modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account." The Examiner relies

upon *Sears* as allegedly disclosing the claimed “trial period” but concedes that *Sears* does not disclose “modifying the duration of the trial period.” (Final Office Action at p. 3).

Walker discloses a first performance target which, if achieved by a cardholder during a first period, will garner the cardholder a reward based on a first set of reward terms. (*Walker*, col. 11, lines 19-32). *Walker* further discloses a second period in which a second performance target is created based on the cardholder’s performance value, and a second set of reward terms are created. (*Walker*, col. 11, lines 24-32). However, *Walker* does not teach or suggest modifying the duration of either the first or second period based on the cardholder’s activities. Instead, *Walker* discloses new target parameters and reward terms during a new period. Contrary to the Examiner’s assertions, *Walker* does not disclose modifying the duration of a period during which a given set of reward terms and target parameters are offered. *Walker*, therefore, fails to teach or suggest the claimed “modifying the duration of the trial period based on the monitored customer’s activities associated with the starter credit account.”

Therefore, for at least the reasons stated above, *Sears* and *Walker*, whether taken alone or in combination, fail to teach or suggest the recitations of claim 1. Accordingly, because the Examiner has not established a *prima facie* case of obviousness, the rejection of claim 1 under 35 U.S.C. § 103(a) should be reversed and the claim allowed.

Independent claims 30, 47, and 77 each includes recitations similar to those discussed above with respect to claim 1. As explained, the cited art does not support the rejection of claim 1. As such, the cited art does not support the rejection of claims

30, 47, and 77 for at least the same reasons set forth in connection with the response to the rejection of claim 1. As a result, the rejection of claims 30, 47, and 77 should be reversed and the claims allowed.

Claims 2-9 and 118 depend from claim 1. Claims 31-36 depend from claim 30. Claims 48-55 and 119 depend from claim 47. Claims 78-85 and 120 depend from claim 77. As explained, the cited art does not support the rejection of claims 1, 30, 47, and 77. As such, the cited art does not support the rejection of the identified dependent claims for at least the same reasons set forth in connection with the response to the rejection of their corresponding independent claims. As a result, the rejection of claims 2-9, 31-36, 48-55, 78-85, and 118-120 should be reversed and the claims allowed.

B. The rejection of claims 10-12, 14-18, 56-58, 60-64, 86-88, and 90-94 should be reversed because the cited art does not teach or suggest the recitations of the claims

Claim 10 recites a method for providing a credit account to a customer, comprising, *inter alia*, “notifying the customer of unsatisfied predetermined criteria during the trial period” (emphasis added). The Examiner concedes that *Sears* does not disclose this recitation of claim 10. (Final Office Action at p. 9).

Walker discloses a target period including a performance target and reward terms for a cardholder. (*Walker*, col. 9, lines 44-55). *Walker* also discloses storing transaction data during the target period, and comparing the transaction data to performance target data during the target period. (*Walker*, col. 9, lines 56-63). However, *Walker* does not disclose that the cardholder is notified of the results of the comparison. Instead, *Walker* describes providing periodic account statements that include “the performance target, the target period, and the reward terms.” (*Walker*, col. 9, lines 44-47), with no mention of unsatisfied criteria being included in the periodic

statements. *Walker*, therefore, fails to teach or suggest the claimed “notifying the customer of unsatisfied predetermined criteria during the trial period” (emphasis added).

Therefore, for at least the reasons stated above, *Sears* and *Walker*, whether taken alone or in combination, fail to teach or suggest the recitations of claim 10. Accordingly, because the Examiner has not established a *prima facie* case of obviousness, the rejection of claim 10 under 35 U.S.C. § 103(a) should be reversed and the claim allowed.

Claims 56 and 86 each includes recitations similar to those discussed above with respect to claim 10. As explained, the cited art does not support the rejection of claim 10. As such, the cited art does not support the rejection of claims 56 and 86 for at least the same reasons set forth in connection with the response to the rejection of claim 10. As a result, the rejection of claims 56 and 86 should be reversed and the claims allowed.

Claims 11, 12, and 14-18 depend from claim 10. Claims 57, 58, and 60-64 depend from claim 56. Claims 87, 88, and 90-94 depend from claim 86. As explained, the cited art does not support the rejection of claims 10, 56, and 86. As such, the cited art does not support the rejection of the identified dependent claims for at least the same reasons set forth in connection with the response to the rejection of their corresponding independent claims. As a result, the rejection of claims 11, 12, 14-18, 57, 58, 60-64, 87, 88, and 90-94 should be reversed and the claims allowed.

C. The rejection of claims 19-27, 65-73, and 95-103 should be reversed because the cited art does not teach or suggest the recitations of the claims

Claim 19 recites a method for providing a credit account to a customer, comprising, *inter alia*, “determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account” (emphasis added).

Sears discloses targeting a low credit line starter card toward consumers with “very thin” or “nonexistent” credit histories. (*Sears*, ¶ 1). The Examiner indicates that this disclosure teaches the claimed group of customers. (Final Office Action at p. 10). However, the customers in *Sears* with “nonexistent” credit histories cannot correspond to the claimed group of customers, because the claimed customers have existing credit histories. Moreover, *Sears* does not indicate that customers with “very thin” credit histories have not previously applied for a *Sears* account. Therefore, the mere mention of “very thin” credit histories does not teach or suggest a group of customers who “have not previously applied for the standard credit account,” as recited in claim 19.

Moreover, to the extent the Examiner asserts it is inherent that *Sears* discloses a group of customers who “have not previously applied for the standard credit account,” as recited in claim 19, Appellants point out that the Examiner has not provided “a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.” See MPEP § 2112 (IV). Indeed, the Examiner offers no persuasive reason why the customers with “very thin credit histories” as disclosed in *Sears* have not previously applied for a *Sears* account. On the contrary, it is quite likely that these customers were

targeted by *Sears* precisely because their applications for standard *Sears* accounts were denied.¹ Thus, *Sears* does not teach or suggest, explicitly or inherently, “determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account,” as recited in claim 19.

Walker fails to cure the deficiencies of *Sears*. Indeed, *Walker* does not teach or suggest a group of customers with existing credit histories who have not previously applied for a standard credit account. *Walker*, therefore, fails to teach or suggest “determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account,” as recited in claim 19.

The rejection of claim 19 is also legally deficient because the cited art does not teach or suggest “ranking the customers included in the group” and “providing a starter credit account to each customer included in the group, wherein parameters associated with each starter credit account vary based on the rank of each customer,” as recited in claim 19 (emphasis added). In fact, the Examiner concedes that *Sears* does not disclose this recitation. (Final Office Action at p. 10).

Walker fails to cure the deficiencies of *Sears*. *Walker* discloses that credit card issuers use “revenue scores” to “assign a ranking to individuals by the relative amount of revenue they are likely to produce over a period of time.” (*Walker*, col. 7, lines 44-47). However, *Walker* does not disclose varying account parameters based on such a ranking. Indeed, *Walker*’s rules for setting performance targets (*Walker*, col. 8, lines

¹ *Sears* suggests as such, stating that the new approach will “‘undoubtedly’ save many of those denied applicants who did not fit into *Sears*’ existing modeling programs.” (*Sears*, ¶ 3).

15-28) and reward terms (*Walker*, col. 9, lines 1-12) do not incorporate any “ranking” of the customers. Therefore, *Walker* fails to teach or suggest that “parameters associated with each starter credit account vary based on the rank of each customer,” as recited in claim 19.

Therefore, for at least the reasons stated above, *Sears* and *Walker*, whether taken alone or in combination, fail to teach or suggest the recitations of claim 19. Accordingly, because the Examiner has not established a *prima facie* case of obviousness, the rejection of claim 19 under 35 U.S.C. § 103(a) should be reversed and the claim allowed.

Claims 65 and 95, although of different scope, each includes recitations similar to those discussed above with respect to claim 19. As explained, the cited art does not support the rejection of claim 19. As such, the cited art does not support the rejection of claims 65 and 95 for at least the same reasons set forth in connection with the response to the rejection of claim 19. As a result, the rejection of claims 65 and 95 should be reversed and the claims allowed.

Claims 20-27 depend from claim 19. Claims 66-73 depend from claim 65. Claims 96-103 depend from claim 95. As explained, the cited art does not support the rejection of claims 19, 65, and 95. As such, the cited art does not support the rejection of the identified dependent claims for at least the same reasons set forth in connection with the response to the rejection of their corresponding independent claims. As a result, the rejection of claims 20-27, 66-73, and 96-103 should be reversed and the claims allowed.

D. The Rejection of Claims 28, 74, 75, 104, and 105 should be reversed because the cited art does not teach or suggest the recitations of the claims

The rejection of claim 28 is legally deficient because the cited art fails to teach or suggest at least “notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments,” as recited in claim 28 (emphasis added). In fact, the Examiner concedes that *Sears* does not disclose this recitation of claim 28. (Final Office Action at p. 13).

However, the Examiner alleges that *Walker's* rewards correspond to the claimed third credit limit. (Final Office Action at p. 13). This is incorrect. As explained above, *Walker* discloses providing rewards to customers based on performance targets. And while these rewards include cash rebates, frequent flyer miles, and APR reductions, *Walker's* rewards do not include a credit limit. Therefore, contrary to the Examiner's assertions, *Walker* does not teach or suggest the claimed “notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments” (emphasis added).

Therefore, for at least the reasons stated above, *Sears* and *Walker*, whether taken alone or in combination, fail to teach or suggest the recitations of claim 28. Accordingly, because the Examiner has not established a *prima facie* case of obviousness, the rejection of claim 28 under 35 U.S.C. § 103(a) should be reversed and the claim allowed.

Claims 74 and 104, although of different scope, each includes recitations similar to those discussed above with respect to claim 28. As explained, the cited art does not

support the rejection of claim 28. As such, the cited art does not support the rejection of claims 74 and 104 for at least the same reasons set forth in connection with the response to the rejection of claim 28. As a result, the rejection of claims 74 and 104 should be reversed and the claims allowed.

Claim 75 depends from claim 74. Claim 105 depends from claim 104. As explained, the cited art does not support the rejection of claims 74 and 104. As such, the cited art does not support the rejection of the identified dependent claims for at least the same reasons set forth in connection with the response to the rejection of their corresponding independent claims. Therefore, the rejection of claims 75 and 105 should be reversed and the claims allowed.

E. The Rejection of Claims 42-46 and 107-116 is legally deficient because the Examiner failed to address the recitations of the claims and because the cited art fails to teach or suggest the recitations of the claims

To begin with, the rejection of claims 42-46 and 107-116 is legally deficient because the Examiner failed to address the recitations the claims. 37 C.F.R. § 1.104(c) requires the Examiner to provide more than merely stating a reference meets the limitations of a rejected claim. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.” 37 C.F.R. § 1.104(c)(2).

In this case, claim 42 is rejected under 35 U.S.C. § 103(a), and therefore the references necessarily “describe[] inventions other than that claimed by the applicant.” Therefore, the Examiner is required to designate the parts of each reference relied upon as nearly as practicable. Yet, the Examiner rejects claim 42 for the same reason as claim 10, but fails to address each of the recitations of claim 42, such as a “second trial

period,” which is not found in claim 10. (Final Office Action at p. 29). Here, by improperly ignoring the recitations of claim 42, such as the “second trial period,” the Examiner has failed to meet the burden established by 37 C.F.R. § 1.104(c).

Appellants’ position is not new to the Examiner. Appellants have repeatedly pointed out this deficiency to the Examiner with no response articulated by the Examiner.² As such, the Examiner’s rejection of this claim under 35 U.S.C. § 103(a) is improper.

Further, the cited art fails to teach or suggest the recitations of the claims. For instance, claim 42 recites a method for providing a credit account to a customer, comprising, *inter alia*, “starting a second trial period and modifying the starter credit account parameters to be more favorable if the customer has satisfied the predetermined criteria during the trial period.”

As discussed, *Sears* discloses targeting a low credit line starter card toward consumers with “very thin” or “nonexistent” credit histories. (*Sears*, ¶ 1). *Sears* also discloses that “[t]he retailer expects most new cardholders will pay on time and eventually have their credit limits raised.” (*Sears*, ¶ 2). However, *Sears* does not disclose that, after the credit limits are raised, any second trial period is started. *Sears*, therefore, fails to teach or suggest “starting a second trial period and modifying the starter credit account parameters to be more favorable if the customer has satisfied the predetermined criteria during the trial period,” as recited by independent claim 42.

² Appellants addressed this deficiency in the Amendment filed December 19, 2006 at pp. 50-52, the Reply to Office Action filed April 20, 2007 at pp. 13-14, and the Request for Reconsideration filed August 30, 2007 at pp. 13-14. None of which were answered by the Examiner.

The rejection of claim 42 is also legally deficient because *Walker* fails to cure the deficiencies of *Sears*. As discussed, *Walker* discloses a second period in which a second performance target is created based on the cardholder's performance value, and a second set of reward terms. (*Walker*, col. 11, lines 24-32). However, the second period is not a "trial period" associated with a starter credit account, but rather a rewards period during which different targets and rewards are applicable to the cardholder. *Walker*, therefore, fails to teach or suggest "starting a second trial period and modifying the starter credit account parameters to be more favorable if the customer has satisfied the predetermined criteria during the trial period," as recited by independent claim 42.

Claims 107 and 112, although of different scope, each includes recitations similar to those of claim 42. Therefore, the rejection of claims 107 and 112 is legally deficient for at least the same reasons set forth in connection with the response to the rejection of claim 42.³ Therefore, the rejection of claims 42, 107 and 112 should be reversed and the claims allowed.

Claims 43-46 depend from claim 42. Claims 108-111 depend from claim 107. Claims 113-116 depend from claim 112. As explained, the cited art does not support the rejection of claims 42, 107, and 112. As such, the cited art does not support the rejection of the identified dependent claims for at least the same reasons set forth in connection with the response to the rejection of their corresponding independent claims. Appellants therefore request that the rejection of these dependent claims be reversed and the claims allowed.

³ The Examiner also failed to address the "second trial period" recited in these claims. (Final Office Action at p. 25).

F. The rejection of claims 37-40 is legally deficient because the cited art fails to teach or suggest the recitations of the claims

i. The cited art does not disclose or suggest “notifying customers of an increased credit limit,” as recited in claims 37-40

Claim 37 recites a process for monitoring a starter credit account including, *inter alia*, “notifying customers of an increased credit limit that will be provided to the customer if the customer satisfies predetermined criteria.” The Examiner concedes that *Sears* does not disclose this recitation of claim 37. (Final Office Action at p. 16).

However, the Examiner asserts that *Walker* discloses this missing feature, again pointing to *Walker*’s rewards to allegedly show the claimed credit limit. (Final Office Action at p. 16). Yet, as discussed above with respect to claim 28, *Walker* provides no disclosure that any of the rewards involve changing a cardholder’s credit limit. *Walker*, therefore, fails to teach or suggest the claimed “notifying customers of an increased credit limit that will be provided to the customer if the customer satisfies predetermined criteria,” as recited in claim 37.

Therefore, for at least the reasons stated above, *Sears* and *Walker*, whether taken alone or in combination, fail to teach or suggest the recitations of claim 37. As such, because the Examiner has not established a *prima facie* case of obviousness, the rejection of claim 37 under 35 U.S.C. § 103(a) should be reversed and the claims allowed.

Claims 38-40 depend from claim 37. As explained, the cited art does not support the rejection of claim 37. As such, the cited art does not support the rejection of the identified dependent claims for at least the same reasons set forth in connection with the response to the rejection of their corresponding independent claims. As a result, the rejection of claims 38-40 should be reversed and the claims allowed.

ii. The Examiner fails to provide evidence of “resetting the trial period,” as recited in claim 37

Claim 37 also recites “a process for resetting the trial period when the activity reflects that the customer has not met the predetermined criteria.” The Examiner concedes that both *Sears* and *Walker* fail to teach or suggest this recitation of claim 37. (Final Office Action at p. 17). However, the Examiner alleges “it is common sense to know that if the trial period leaves the customer in poor account standing i.e., the customer fails to meet predetermined criteria, the customer would be penalized and his account would be downgraded.” (Final Office Action at p. 17).

This is improper. M.P.E.P. 2144.03 states:

It is never appropriate to rely solely on “common knowledge” in the art without evidentiary support in the record, as the principal evidence upon which a rejection was based. *Zurko*, 258 F.3d at 1385, 59 USPQ2d at 1697 (“[T]he Board cannot simply reach conclusions based on its own understanding or experience—or on its assessment of what would be basic knowledge or common sense. Rather, the Board must point to some concrete evidence in the record in support of these findings.”

Here, the Examiner improperly relies upon “common sense” to reject claim 37, despite numerous requests by Appellants for evidentiary support. For instance, in the Final Office Action mailed July 19, 2006, the Examiner rejected claim 37 under 35 U.S.C. § 102(b) as anticipated by *Sears*, but conceded that *Sears* failed to disclose this recitation of claim 37. (Final Office Action at pp. 2, 18). The Examiner apparently took Official Notice to reject claim 37, stating that “it is common sense to know that if the trial period leaves the customer in poor account standing ... the customer would be penalized and have his account downgraded.” (Final Office Action at p. 18).

Appellants traversed the apparent taking of Official Notice multiple times during prosecution of Appellants’ application. See *e.g.*, the Amendment filed December 19,

2006 at p. 54, the Reply to Office Action filed April 20, 2007, at p. 16, the Request for Reconsideration filed August 30, 2007, at pp. 4, 15-16, and the Pre-Appeal Brief Request for Review filed November 16, 2007 at pp. 3-5. To date, the Examiner has not responded on the record to Appellants' numerous traversals. This is improper.⁴

As a result, the rejection of claim 37 and dependent claims 38-40 is legally deficient, should be reversed, and the claim allowed. Further, the rejection of claims 38-40 is also legally deficient at least due to their dependence from claim 37.

G. The rejection of claim 76, 106, and 117 is legally deficient because the cited art fails to teach or suggest the recitations of the claims

- i. The cited art does not teach or suggest “providing to the customer a second credit account,” and “changing the second interest rate,” as recited in claims 76, 106, and 117**

Claim 76, for example, recites a computer-readable medium including, *inter alia*, instructions for performing a method including “providing to the customer a second credit account associated with ... a second interest rate” and “changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account” (emphasis added). The Examiner concedes that *Sears* does not disclose this recitation of claim 76. (Final Office Action at p. 22).

Walker discloses a “Reward Offer” that reduces a cardholder’s APR from 19% to 18% if the reward is earned. (*Walker*, col. 9, lines 11-12). The Examiner relies upon this disclosure of *Walker* to allegedly show the claimed “changing the second interest

⁴ See e.g., MPEP § 2144.03 “[i]f applicant adequately traverses the examiner’s assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection.”

rate to a third interest rate that is higher than the first interest rate.” (Final Office Action at p. 22). However, reducing an APR is clearly not the same as changing to a higher interest rate. Therefore, *Walker* fails to teach or suggest the claimed “providing to the customer a second credit account associated with ... a second interest rate” and “changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account” (emphasis added).

ii. The Examiner improperly construes the recitations of claims 76, 106, and 117

M.P.E.P § 2111 states that “during patent examination, the pending claims must be “given their broadest reasonable interpretation consistent with the specification.” *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005). However, “[t]he broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach.” *In re Cortright*, 165 F.3d 1353, 1359 (Fed. Cir. 1999) (emphasis added). As explained below, the rejection of claim 76 is inconsistent with the requirements set forth in M.P.E.P. § 2111.

In the non-final Office Action mailed January 29, 2007, the Examiner rejected claim 76 under 35 U.S.C. § 112, second paragraph, and the Examiner incorrectly interpreted the claim to require “changing the second interest rate to a third interest rate that is **lower** than the first interest rate.” (Final Office Action at p. 4)(emphasis in original). Appellants addressed the 35 U.S.C. § 112 rejection by pointing out that claim 76 is fully supported by the specification, and requested that the Examiner examine

claim 76 as presented (Reply to Office Action filed April 20, 2007 at pp. 5-6).⁵ As a result, the Examiner withdrew the 35 U.S.C. § 112 rejection of claim 76. (Final Office Action at p. 2).

Yet despite the Examiner's apparent acknowledgment that claim 76 requires a "third interest rate that is higher than the first interest rate," the Examiner maintained that *Walker* disclosed the recitations of this claim on the basis of *Walker's* disclosure of a "reduced APR." (Final Office Action at p. 22). Therefore, Appellants' representative conducted an after-final interview with the Examiner on August 15, 2007, to point out the error in the Examiner's position. Consequently, the Examiner conceded that *Walker* does not disclose this recitation of claim 76. Despite this concession, the Examiner maintained the rejection of claim 76 on this basis. Thus, Appellants raised this issue again on pp. 16-17 of the Request for Reconsideration filed August 30, 2007, and again on pp. 1-3 of the Pre-Appeal Brief Request for Review filed November 16, 2007. Nonetheless, the Examiner has not removed this basis for rejecting claim 76, thus forcing Appellants to request relief from the Board.

Therefore, for at least the reasons stated above, *Sears* and *Walker*, whether taken alone or in combination, fail to teach or suggest the recitations of claim 76. Accordingly, because the Examiner has not established a *prima facie* case of obviousness, the rejection of claim 76 under 35 U.S.C. § 103(a) should be reversed and the claim allowed.

Claims 106 and 117, although of different scope, each includes recitations similar to those discussed above with respect to claim 76. As explained, the cited art does not

⁵ Claim 76 actually recites "changing the second interest rate to a third interest rate that is higher than the first interest rate."

support the rejection of claim 76. As such, the cited art does not support the rejection of claims 106 and 117 for at least the same reasons set forth in connection with the response to the rejection of claim 76. As a result, the rejection of claims 106 and 117 should be reversed and the claims allowed.

H. The rejection of dependent Claims 7, 16, 53, 62, 83, and 92 should be reversed because the cited art does not teach or suggest the recitations of the claims

Claim 7 recites, for example, “downgrading at least one of the starter credit account parameters based on the monitoring.” The Final Office Action concedes that neither *Sears* nor *Walker* discloses this recitation of claim 7. (Final Office Action at p. 6). However, the Examiner alleges that:

it is obvious to anyone that if the reward for a customer keeping his starter account in good standing is upgrading at least of one the parameters of the said starter account, then the penalty for poor account standing would be exact opposite of upgrading, which is downgrading the least of one the parameters of the said starter account. This is well-known in the art.

(Final Office Action at p. 6). Such allegations are insufficient to support the rejection of claim 7. Indeed, Appellants have previously pointed out this deficiency to the Examiner by requesting that the Examiner provide evidence to support the Examiner's position. (See Reply to Office Action filed April 19, 2006 at pp. 50-52). The Examiner has not done so. Accordingly, there remains no evidence, other than the Examiner's unsupported statement, that “downgrading at least one of the starter credit account parameters based on the monitoring,” as recited in claim 7 was well-known in the art at the time of Appellants' application. Accordingly, in addition to the reasons set forth above in connection with independent claim 1, the rejection of claim 7 under 35 U.S.C. § 103(a) is legally deficient and should be reversed.

Dependent claims 16, 53, 62, 83, and 92, although of different scope, include recitations similar to claim 7, and the Examiner rejects these claims for similar reasons as claim 7. (Final Office Action at pp. 10, 19, 20, 23, and 24). Accordingly, the rejection of claims 16, 53, 62, 83, and 92 is legally deficient for at least the same reasons as the rejection of claim 7, and thus should be reversed and the claims allowed.

I. The rejection of dependent Claims 8, 17, 23, 35, 54, 63, 84, 93, and 99 should be reversed because the cited art does not teach or suggest the recitations of the claims

Claim 8 recites, for example, “determining that the customer has not met a predetermined criteria during the trial period based on the monitoring” and “restarting the trial period.” The Examiner concedes that neither *Sears* nor *Walker* discloses this recitation of claim 8. (Final Office Action at p. 6). However, the Examiner alleges that:

It is common sense to know that if the trial period leaves the customer in poor account standing i.e., the customer fails to meet predetermined criteria, the customer would be penalized and his account would be downgraded.

(Final Office Action at p. 6). Such allegations are insufficient to support the rejection of claim 8. Indeed, Appellants have previously pointed out this deficiency to the Examiner by requesting that the Examiner provide evidence to support the Examiner’s position. (See Reply to Office Action filed April 19, 2006 at pp. 50-52). The Examiner has not done so. Accordingly, there remains no evidence, other than the Examiner’s unsupported statement, that “determining that the customer has not met a predetermined criteria during the trial period based on the monitoring” and “restarting the trial period,” as recited in claim 8 was well-known in the art at the time of Appellants’ application. Accordingly, in addition to the reasons set forth above in connection with

independent claim 1, the rejection of claim 8 under 35 U.S.C. § 103(a) is legally deficient and should be reversed.

Dependent claims 17, 23, 35, 54, 63, 84, 93, and 99 include recitations similar to claim 8, and the Examiner rejects these claims for similar reasons as claim 8. Accordingly, the rejection of claims 17, 23, 35, 54, 63, 84, 93, and 99 is legally deficient for at least the same reasons as the rejection of claim 8 and Appellants request that the rejection of these claims be reversed and the claims allowed.

J. The rejection of dependent Claims 9, 18, 40, 55, 64, 85, and 94 should be reversed because the cited art does not teach or suggest the recitations of the claims

Claim 9 recites, for example, “determining that the customer has not met a predetermined criteria during the trial period based on the monitoring” and “increasing an interest rate associated with the starter credit account.” The Examiner also concedes that neither *Sears* nor *Walker* discloses this recitation of claim 9. (Final Office Action at p. 7). However, the Examiner alleges that “I applied for my first credit card through MBNA America ... [f]or the first six months, my account was in poor standing, and my APR [was] raised.” (Final Office Action at p. 7).

The Examiner’s allegation is insufficient to support the rejection. M.P.E.P. 21440.03(c) requires that “if the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding.” Here, the Examiner has provided no such affidavit or declaration to support the rejection. Accordingly, the Examiner has not provided any evidence, other than an unsupported statement, that “determining that the customer has not met a

predetermined criteria during the trial period based on the monitoring" and "increasing an interest rate associated with the starter credit account" were well-known in the art at the time of Appellants' application. Accordingly, the rejection of claim 9 under 35 U.S.C. § 103(a) is legally deficient, should be reversed, and the claim allowed.

Dependent claims 18, 40, 55, 64, 85, and 94, although of different scope, include recitations similar to claim 9, and the Examiner rejects these claims for similar reasons as claim 9. Accordingly, the rejection of claims 18, 40, 55, 64, 85, and 94 is legally deficient for at least the same reasons as the rejection of claim 9 and Appellants request that the rejection of these claims be reversed and the claims allowed.

K. The rejection of dependent Claim 43 should be reversed because the cited art does not teach or suggest the recitations of the claim

Claim 43 recites "[t]he method of claim 42, wherein the second predetermined criteria [during the second trial period] is the same as the predetermined criteria [during the trial period]." The Examiner concedes that neither *Walker* or *Sears* discloses these recitations of claim 43. (Final Office Action at p. 18). Yet, while the Examiner alleges that these recitations are "common sense," the Examiner declines to expressly take Official Notice or provide documentary evidence to support any Official Notice. (Final Office Action at p. 18). Accordingly, the Examiner has not provided evidence, other than an unsupported statement, that the claimed "second predetermined criteria [during the second trial period] is the same as the predetermined criteria [during the trial period]" was well-known in the art at the time of Appellants' application. This is improper. Accordingly, the rejection of claim 43 under 35 U.S.C. § 103(a) is legally deficient, should be reversed, and the claim allowed.

L. The Rejection of Dependent Claim 44 should be reversed because the cited art does not teach or suggest the recitations of the claim

Claim 44 recites “[t]he method of claim 42, wherein the second predetermined criteria [during the second trial period] is not the same as the predetermined criteria [during the trial period].” The Examiner concedes that neither *Walker* or *Sears* discloses the recitations of claim 44. (Final Office Action at p. 18). Yet again, the Examiner alleges that these recitations are “common sense,” but does so without expressly taking Official Notice or providing evidence disclosing the recitations of claim 44. (Final Office Action at p. 18). Therefore, the Examiner has not provided evidence to support the position that the claimed “second predetermined criteria [during the second trial period] is not the same as the predetermined criteria [during the trial period]” was well-known in the art at the time of Appellants’ application..

Accordingly, the rejection of claim 44 under 35 U.S.C. § 103(a) is legally deficient, should be reversed, and the claim allowed.

VIII. Conclusion


For the reasons given above, pending claims 1-12, 14-28, 30-40, 42-58, 60-88 and 90-120 are allowable and reversal of the Examiner's rejections is respectfully requested.

To the extent any further extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 3, 2008

By:  (Arthur A. Smith) Reg. No. 56,877
for Joseph E. Palys
Reg. No. 46,508

IX: Claims Appendix

1. (Previously Presented) A method for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

- receiving a request for the standard credit account from the customer;
- providing a starter credit account in place of the standard credit account to the customer;

- monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria;

- modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account; and

- upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria.

2. (Original) The method of claim 1, wherein the starter credit account parameters include at least a starter credit limit, and wherein monitoring the customer's activities comprises:

- determining whether the customer has an outstanding balance associated with the starter credit limit; and

- determining whether the customer has made a payment toward the outstanding balance.

3. (Original) The method of claim 2, wherein determining whether the customer has made a payment further comprises:

determining whether the customer has made the payment within an acceptable period of time.

4. (Original) The method of claim 1, wherein upgrading at least one of the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account when the customer has satisfied the predetermined criteria.

5. (Original) The method of claim 1, wherein upgrading at least one of the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

6. (Original) The method of claim 5, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

7. (Original) The method of claim 1, wherein the step of upgrading at least one of the starter credit account parameters is replaced with:

downgrading at least one of the starter credit account parameters based on the monitoring.

8. (Original) The method of claim 7, downgrading further comprises:
determining that the customer has not met a predetermined criteria during the trial period based on the monitoring; and
restarting the trial period.

9. (Original) The method of claim 7, downgrading further comprises:
determining that the customer has not met a predetermined criteria during the trial period based on the monitoring;
preventing use of the starter credit account to purchase goods and/or services;
increasing an interest rate associated with the starter credit account; and
accessing penalty fees to the starter credit account.

10. (Previously Presented) A method for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

providing a starter credit account to a customer, wherein the customer is not eligible to receive a standard credit account;

monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

notifying the customer of unsatisfied predetermined criteria during the trial period;
and

modifying the starter credit account parameters based on the monitoring, wherein modifying includes upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period.

11. (Original) The method of claim 10, wherein the starter credit account parameters include at least a starter credit limit, and wherein monitoring the customer's activities comprises:

determining whether the customer has an outstanding balance associated with the starter credit limit; and

determining whether the customer has made a payment toward the outstanding balance.

12. (Original) The method of claim 11, wherein determining whether the customer has made a payment further comprises:

determining whether the customer has made the payment within an acceptable period of time.

13. (Canceled)

14. (Original) The method of claim 10, wherein modifying the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

15. (Original) The method of claim 14, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

16. (Original) The method of claim 10, wherein the step of modifying the starter credit account parameters comprises:

downgrading at least one of the starter credit account parameters based on the monitoring.

17. (Original) The method of claim 16, downgrading comprises:

determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring; and
restarting the trial period.

18. (Original) The method of claim 16, downgrading comprises:
determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring;
preventing use of the starter credit account to purchase goods and/or services;
increasing an interest rate associated with the starter credit account; and
accessing penalty fees to the starter credit account.

19. (Previously Presented) A method for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, wherein the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account;

ranking the customers included in the group;

providing a starter credit account to each customer included in the group, wherein parameters associated with each starter credit account vary based on the rank of each customer;

determining a trial period for each ranked customer;

determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded; and

for each ranked customer:

determining whether the ranked customer has met the predetermined criteria during the trial period; and

upgrading the account parameters associated with the ranked customer based on the determination.

20. (Original) The method of claim 19, wherein adjusting the account parameters comprises:

increasing a credit limit associated with the starter credit account when the customer has met the predetermined criteria.

21. (Original) The method of claim 19, wherein adjusting the account parameters comprises:

adjusting an interest rate associated with the starter credit account when the customer has met the predetermined criteria.

22. (Original) The method of claim 19, wherein adjusting the account parameters comprises:

adjusting the account parameters to reflect parameters equivalent to parameters associated with the standard credit account when the customer has met the predetermined criteria.

23. (Original) The method of claim 19, wherein adjusting the account parameters comprises:

restarting the trial period when the customer has not met the predetermined criteria and based on the rank of the customer.

24. (Original) The method of claim 19, wherein adjusting the account parameters comprises:

preventing the starter credit account from being used to purchase goods and/or services when the customer has not met the predetermined criteria and based on the rank of the customer.

25. (Original) The method of claim 19, wherein ranking the customers included in the group comprises:

ranking the customers based on the credit profile of each customer included in the group.

26. (Original) The method of claim 19, wherein the predetermined criteria includes at least one of making a number of consecutive on-time payments, and not exceeding a credit limit associated with the starter credit account.

27. (Original) The method of claim 19, wherein determining whether the ranked customer has met the predetermined criteria during the trial period comprises:
determining at predetermined intervals within the trial period whether the customer has made a number of consecutive on-time payments associated with their respective starter credit account.

28. (Previously Presented) A method for providing credit accounts, comprising:
receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate, wherein the second credit limit is lower than the first credit limit;

notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments and wherein the third credit limit is higher than the second credit limit and lower than the first credit limit;

monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments; and

changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account,

wherein the third credit limit is based on a predetermined amount based on a number of on-time payments made by the customer.

29. (Canceled)

30. (Previously Presented) A system for providing a starter credit account, comprising:

- a credit issuer for providing credit accounts including a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters that are more favorable than the starter credit account parameters, wherein the starter credit account is provided to a trial customer who is not eligible to obtain the standard credit account, the credit issuer comprising:

- a monitor process for monitoring the starter credit account to determine whether the trial customer has met predetermined criteria associated with the starter credit account during a trial period and adjusting the starter credit account parameters based on the determination;

- a trial period modifying process for modifying the duration of the trial period based on activities associated with the starter credit account;

- a first memory for storing credit account information associated with standard credit account customers of the credit issuer; and

- a second memory for storing starter credit account information associated with the trial customer,

- wherein the credit issuer loads the starter credit account information stored in the second memory into the first memory after the starter credit account parameters associated with the starter credit account have been adjusted based on the determination.

31. (Original) The system of claim 30, wherein the parameters includes a credit limit and the monitor process increases the credit limit when it is determined that the trial customer has met the predetermined criteria during the trial period.

32. (Original) The system of claim 30, wherein the parameters further includes an interest rate and the monitor process adjusts the interest rate when the trial customer has met the predetermined criteria.

33. (Original) The system of claim 30, wherein the parameters includes an interest rate and a credit limit and the monitor process reduces the credit limit and adjusts the interest rate when the trial customer has not met the predetermined criteria,

34. (Original) The system of claim 33 , wherein the credit limit is reduced to zero.

35. (Original) The system of claim 30, wherein the monitor process restarts the trial period and when the trial customer has not met the predetermined criteria, and resumes monitoring the starter credit account to determine whether the trial customer has met the predetermined criteria during the restarted trial period.

36. (Original) The system of claim 30, wherein the credit issuer further comprises:
a target customer process for determining a group of customers who are not eligible to obtain the standard credit account; ranking the group of customers based on each customer's credit profile, wherein the trial customer is included in the group of ranked customers, and

wherein the monitor process adjusts the starter credit account parameters associated with the starter credit account based on the ranking of the trial customer.

37. (Previously Presented) A process for monitoring a starter credit account associated with a customer who is not eligible to receive a standard credit account from a credit issuer, wherein the standard credit account is associated with standard credit account parameters that are more favorable than starter credit account parameters associated with the starter credit account, the process comprising:

a process for notifying customers of an increased credit limit that will be provided to the customer if the customer satisfies predetermined criteria;

a process for notifying the customer of the predefined criteria the customer must satisfy to obtain the increased credit limit;

a process for periodically monitoring activity associated with the starter credit account for a determined trial period;

a process for determining whether the predetermined criteria has been met based on the monitored activity during the trial period;

a process for increasing a credit limit associated with the starter credit account based on the determination that the predetermined criteria has been met; and.

a process for resetting the trial period when the activity reflects that the customer has not met the predetermined criteria.

38. (Original) The process of claim 37, wherein the process for periodically monitoring activity associated with the starter credit account further comprises:

a process for monitoring payment activities associated with the starter credit account.

39. (Original) The process of claim 38, wherein the process for determining whether a predetermined criteria has been met based on the monitored activity further comprises:

a process for determining that the customer has made a predetermined number of on time payments associated with the starter credit account.

40. (Original) The process of claim 37, wherein the monitor process further comprises:

a process for preventing the starter credit account from being used to purchase goods and/or services, charging penalty fees to the starter credit account, and increasing an interest rate associated with the starter credit account when the activity reflects that the customer has not met the predetermined criteria.

41. (Canceled)

42. (Previously Presented) A method for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit

account parameters more favorable than the starter credit account parameters, comprising:

- providing the starter credit account to the customer, wherein the customer is not eligible to receive the standard credit account;

- monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

- starting a second trial period and modifying the starter credit account parameters to be more favorable if the customer has satisfied the predetermined criteria during the trial period;

- further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period; and

- further modifying the modified starter credit account parameters based on the further monitoring.

43. (Original) The method of claim 42, wherein the second predetermined criteria is the same as the predetermined criteria.

44. (Original) The method of claim 42, wherein the second predetermined criteria is not the same as the predetermined criteria.

45. (Original) The method of claim 42, wherein modifying the starter credit account parameters based on the monitoring comprises:

- increasing a credit limit associated with the starter credit account.

46. (Original) The method of claim 45, wherein further modifying the starter credit account parameters based on the further monitoring comprises:

- further increasing the credit limit associated with the starter credit account.

47. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

- receiving a request for the standard credit account from the customer;
- providing a starter credit account in place of the standard credit account to the customer;
- monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria;
- modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account; and
- upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria.

48. (Original) The computer-readable medium of claim 47, wherein the starter credit account parameters include at least a starter credit limit, and wherein monitoring the customer's activities comprises:

- determining whether the customer has an outstanding balance associated with the starter credit limit; and
- determining whether the customer has made a payment toward the outstanding balance.

49. (Original) The computer-readable medium of claim 48, wherein determining whether the customer has made a payment further comprises:

- determining whether the customer has made the payment within an acceptable period of time.

50. (Original) The computer-readable medium of claim 47, wherein upgrading at least one of the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account when the customer has satisfied the predetermined criteria.

51. (Original) The computer-readable medium of claim 47, wherein upgrading at least one of the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

52. (Original) The computer-readable medium of claim 51, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

53. (Original) The computer-readable medium of claim 47, wherein the step of upgrading at least one of the starter credit account parameters is replaced with:

downgrading at least one of the starter credit account parameters based on the monitoring.

54. (Original) The computer-readable medium of claim 53, downgrading further comprises:

determining that the customer has not met a predetermined criteria during the trial period based on the monitoring; and
restarting the trial period.

55. (Original) The computer-readable medium of claim 53, downgrading further comprises:

determining that the customer has not met a predetermined criteria during the trial period based on the monitoring;
preventing use of the starter credit account to purchase goods and/or services;

increasing an interest rate associated with the starter credit account; and
accessing penalty fees to the starter credit account.

56. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

- providing a starter credit account to a customer, wherein the customer is not eligible to receive a standard credit account;

- monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

- notifying the customer of unsatisfied predetermined criteria during the trial period;

and

- modifying the starter credit account parameters based on the monitoring, wherein modifying includes upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period.

57. (Original) The computer-readable medium of claim 56, wherein the starter credit account parameters include at least a starter credit limit, and wherein monitoring the customer's activities comprises:

determining whether the customer has an outstanding balance associated with the starter credit limit; and

determining whether the customer has made a payment toward the outstanding balance.

58. (Original) The computer-readable medium of claim 57, wherein determining whether the customer has made a payment further comprises:

determining whether the customer has made the payment within an acceptable period of time.

59. (Canceled)

60. (Original) The computer-readable medium of claim 56, wherein modifying the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

61. (Original) The computer-readable medium of claim 60, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

62. (Original) The computer-readable medium of claim 56, wherein the step of modifying the starter credit account parameters comprises:

downgrading at least one of the starter credit account parameters based on the monitoring.

63. (Original) The computer-readable medium of claim 62, downgrading comprises:

- determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring; and
- restarting the trial period.

64. (Original) The computer-readable medium of claim 62, downgrading comprises:

- determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring;
- preventing use of the starter credit account to purchase goods and/or services;
- increasing an interest rate associated with the starter credit account; and
- accessing penalty fees to the starter credit account.

65. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

- determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, wherein the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account;

- ranking the customers included in the group;

- providing a starter credit account to each customer included in the group, wherein parameters associated with each starter credit account vary based on the rank of each customer;

- determining a trial period for each ranked customer;

- determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded; and

for each ranked customer:

determining whether the ranked customer has met the predetermined criteria during the trial period; and

upgrading the account parameters associated with the ranked customer based on the determination.

66. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

increasing a credit limit associated with the starter credit account when the customer has met the predetermined criteria.

67. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

adjusting an interest rate associated with the starter credit account when the customer has met the predetermined criteria.

68. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

adjusting the account parameters to reflect parameters equivalent to parameters associated with the standard credit account when the customer has met the predetermined criteria.

69. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

restarting the trial period when the customer has not met the predetermined criteria and based on the rank of the customer.

70. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

preventing the starter credit account from being used to purchase goods and/or services when the customer has not met the predetermined criteria and based on the rank of the customer.

71. (Original) The computer-readable medium of claim 65, wherein ranking the customers included in the group comprises:

ranking the customers based on the credit profile of each customer included in the group.

72. (Original) The computer-readable medium of claim 65, wherein the predetermined criteria includes at least one of making a number of consecutive on-time payments, and not exceeding a credit limit associated with the starter credit account.

73. (Original) The computer-readable medium of claim 65, wherein determining whether the ranked customer has met the predetermined criteria during the trial period comprises:

determining at predetermined intervals within the trial period whether the customer has made a number of consecutive on- time payments associated with their respective starter credit account.

74. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing credit accounts, the method comprising:

receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate, wherein the second credit limit is lower than the first credit limit;

notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments and wherein the third credit limit is higher than the second credit limit and lower than the first credit limit;

monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments; and

changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

75. (Original) The computer-readable medium of claim 74, wherein the third credit limit is based on a predetermined amount based on a number of on-time payments made by the customer.

76. (Original) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing credit accounts, the method comprising:

receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate;

monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit; and

changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

77. (Previously Presented) A system for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for receiving a request for the standard credit account from the customer;

means for providing a starter credit account in place of the standard credit account to the customer;

means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria;

means for modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account; and

means for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria.

78. (Original) The system of claim 77, wherein the means for starter credit account parameters include at least a starter credit limit, and wherein the means for monitoring the customer's activities comprises:

means for determining whether the customer has an outstanding balance associated with the starter credit limit; and

means for determining whether the customer has made a payment toward the outstanding balance.

79. (Original) The system of claim 78, wherein the means for determining whether the customer has made a payment further comprises:

means for determining whether the customer has made the payment within an acceptable period of time.

80. (Original) The system of claim 77, wherein the means for upgrading at least one of the starter credit account parameters comprises:

means for increasing a starter credit limit associated with the starter credit account when the customer has satisfied the predetermined criteria.

81. (Original) The system of claim 77, wherein the means for upgrading at least one of the starter credit account parameters comprises:

means for increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

82. (Original) The system of claim 81, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

83. (Original) The system of claim 77, wherein the means for upgrading at least one of the starter credit account parameters is replaced with:

means for downgrading at least one of the starter credit account parameters based on the monitoring.

84. (Original) The system of claim 83, wherein the means for downgrading further comprises:

means for determining that the customer has not met a predetermined criteria during the trial period based on the monitoring; and

means for restarting the trial period.

85. (Original) The system of claim 83, wherein the means for downgrading further comprises:

means for determining that the customer has not met a predetermined criteria during the trial period based on the monitoring;

means for preventing use of the starter credit account to purchase goods and/or services;

means for increasing an interest rate associated with the starter credit account;
and

means for accessing penalty fees to the starter credit account.

86. (Previously Presented) A system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for providing a starter credit account to a customer, wherein the customer is not eligible to receive a standard credit account;

means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

means for notifying the customer of unsatisfied predetermined criteria during the trial period; and

means for modifying the starter credit account parameters based on the monitoring, wherein the means for modifying includes means for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period.

87. (Original) The system of claim 86, wherein the starter credit account parameters include at least a starter credit limit, and wherein the means for monitoring the customer's activities comprises:

means for determining whether the customer has an outstanding balance associated with the starter credit limit; and

means for determining whether the customer has made a payment toward the outstanding balance.

88. (Original) The system of claim 87, wherein the means for determining whether the customer has made a payment further comprises:

means for determining whether the customer has made the payment within an acceptable period of time.

89. (Canceled)

90. (Original) The system of claim 86, wherein the means for modifying the starter credit account parameters comprises:

means for increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

91. (Original) The system of claim 90, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

92. (Original) The system of claim 86, wherein the means for modifying the starter credit account parameters comprises:

means for downgrading at least one of the starter credit account parameters based on the monitoring.

93. (Original) The system of claim 92, wherein the means for downgrading comprises:

means for determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring; and
means for restarting the trial period.

94. (Original) The system of claim 92, wherein the means for downgrading comprises:

- means for determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring;

- means for preventing use of the starter credit account to purchase goods and/or services;

- means for increasing an interest rate associated with the starter credit account;

and

- means for accessing penalty fees to the starter credit account.

95. (Previously Presented) A system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

- means for determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, wherein the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account;

- means for ranking the customers included in the group;

- means for providing a starter credit account to each customer included in the group, wherein parameters associated with each starter credit account vary based on the rank of each customer;

- means for determining a trial period for each ranked customer;

- means for determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded;

- means for determining, for each customer, whether the ranked customer has met the predetermined criteria during the trial period; and

- means for upgrading, for each customer, the account parameters associated with the ranked customer based on the determination.

96. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for increasing a credit limit associated with the starter credit account when the customer has met the predetermined criteria.

97. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for adjusting an interest rate associated with the starter credit account when the customer has met the predetermined criteria.

98. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for adjusting the account parameters to reflect parameters equivalent to parameters associated with the standard credit account when the customer has met the predetermined criteria.

99. (Original) The system of claim 95, wherein the means adjusting the account parameters comprises:

means for restarting the trial period when the customer has not met the predetermined criteria and based on the rank of the customer.

100. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for preventing the starter credit account from being used to purchase goods and/or services when the customer has not met the predetermined criteria and based on the rank of the customer.

101. (Original) The system of claim 95, wherein the means for ranking the customers included in the group comprises:

means for ranking the customers based on the credit profile of each customer included in the group.

102. (Original) The system of claim 95, wherein the predetermined criteria includes at least one of making a number of consecutive on-time payments, and not exceeding a credit limit associated with the starter credit account.

103. (Original) The system of claim 95, wherein the means for determining whether the ranked customer has met the predetermined criteria during the trial period comprises:

means for determining at predetermined intervals within the trial period whether the customer has made a number of consecutive on-time payments associated with their respective starter credit account.

104. (Previously Presented) A system for providing credit accounts, comprising:
means for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

means for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate, wherein the second credit limit is lower than the first credit limit;

means for notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments and wherein the third credit limit is higher than the second credit limit and lower than the first credit limit;

means for monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments; and

means for changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

105. (Original) The system of claim 104, wherein the third credit limit is based on a predetermined amount based on a number of on-time payments made by the customer.

106. (Original) A system for providing credit accounts, comprising:
means for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

means for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate;

means for monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit; and

means for changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

107. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

providing the starter credit account to the customer, wherein the customer is not eligible to receive the standard credit account;

monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

modifying the starter credit account parameters based on the monitoring, the modifying including starting a second trial period and upgrading the starter credit

account parameters if the customer has satisfied the predetermined criteria during the trial period;

further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period; and

further modifying the modified starter credit account parameters based on the further monitoring.

108. (Original) The computer-readable medium of claim 107, wherein the second predetermined criteria is the same as the predetermined criteria.

109. (Original) The computer-readable medium of claim 107, wherein the second predetermined criteria is not the same as the predetermined criteria.

110. (Original) The computer-readable medium of claim 107, wherein modifying the starter credit account parameters based on the monitoring comprises:
increasing a credit limit associated with the starter credit account.

111. (Original) The computer-readable medium of claim 110, wherein further modifying the starter credit account parameters based on the further monitoring comprises:

further increasing the credit limit associated with the starter credit account.

112. (Previously Presented) A system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for providing the starter credit account to the customer, wherein the customer is not eligible to receive the standard credit account;

means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

means for modifying the starter credit account parameters based on the monitoring, the modifying including starting a second trial period and upgrading the starter credit account parameters if the customer has satisfied the predetermined criteria during the trial period;

means for further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period; and

means for further modifying the modified starter credit account parameters based on the further monitoring.

113. (Original) The system of claim 112, wherein the second predetermined criteria is the same as the predetermined criteria.

114. (Original) The system of claim 112, wherein the second predetermined criteria is not the same as the predetermined criteria.

115. (Original) The system of claim 112, wherein the means for modifying the starter credit account parameters based on the monitoring comprises:

means for increasing a credit limit associated with the starter credit account.

116. (Original) The system of claim 115, wherein the means for further modifying the starter credit account parameters based on the further monitoring comprises:

means for further increasing the credit limit associated with the starter credit account.

117. (Original) A method for providing credit accounts, comprising:
receiving a request from a customer for a first credit account associated with a first account parameters including a first credit limit and a first interest rate;
providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate;
monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit; and
changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

118. (Previously Presented) The method of claim 1, wherein providing a starter credit account in place of the standard credit account includes:

providing the starter credit account in response to the request for the standard credit account received from the customer.

119. (Previously Presented) The computer-readable medium of claim 47, wherein the step of providing a starter credit account in place of the standard credit account includes:

providing the starter credit account in response to the request for the standard credit account received from the customer.

120. (Previously Presented) The system of claim 77, wherein the means for providing a starter credit account in place of the standard credit account includes:
means for providing the starter credit account in response to the request for the standard credit account received from the customer.

X: Evidence Appendix

There is no evidence being relied upon by Appellant in this appeal.

XI: Related Proceedings Appendix

None.